MISSISSIPPI MOTOR VEHICLE COMMISSION
PROPOSED REGULATION NO. EIGHT

Motor Vehicle Dealer Documentary/Service Fees - Disclosures

(a) Documentary/service fees may be charged by a motor vehicle dealer for services rendered to, for, or on behalf of a purchaser in preparing, handling, and processing documents relating to the sale or lease of a motor vehicle.[1]

(b) Documentary/service fees must be:
(1) reasonable based on the market price of the Services rendered in the local area; and
(2) charged to all purchasers and lessees of vehicles regardless of the payment method used; and
(3) disclosed as a separate itemized charge with the exact dollar amount of the documentary/service fee listed on the bill of sale and/or buyer's order.

(c) Preparation of a retail installment contract, the lease, or perfection of a security interest shall not be components of the documentary/service fee.

(d) On all documents where the documentary/service fee is disclosed, the following notice must be typed in bold and capitalized as follows:

> **"A DOCUMENT/SERVICE FEE IS NOT AN OFFICAL FEE AND IS NOT REQUIRED BY LAW. HOWEVER, IT MAY BE CHARGED TO A BUYER/LESSEE FOR THE HANDLING OF DOCUMENTS AND THE PERFORMING OF SERVICES RELATED TO THE SALE OR LEASE AND MAY INCLUDE DEALER PROFIT. THIS NOTICE IS REQUIRED BY REGULATION OF THE MISSISSIPPI MOTOR VEHICLE COMMISSION."**

(e) All motor vehicle dealers who charge a documentary/service fee must report the amount of their documentary/services fees to the Motor Vehicle Commission within thirty (30) days of adoption of this regulation, and all changes to motor vehicle documentary/service fees must be reported to the Motor Vehicle Commission within thirty (30) days of the change.

(f) This regulation is promulgated under and in accordance with Mississippi Code of 1972 § 63-17-69, and this regulation is enforceable pursuant to Mississippi Code of 1972 § 63-17-85.

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[1]Service examples may include but are not limited to checking vehicle safety, history, and titles; providing full condition information on the window label; discovering and disclosing accurate vehicle mileage; checking for recalls on used vehicles where required; completing required forms and contracts that protect buyers; and lessees; interests; processing titles and plates; clearing liens; keeping buyers' and lessees' information private and secure; fulfilling vehicle emission laws; passing along manufacturer information, including lemon law notices; processing taxes on buyers' and lessees; purchases and rebates; keeping buyers and lessees informed of their rights and obligations; keeping important records of buyers' and lessees' purchases; purchasing required forms and supplies; maintaining technology to process buyers' and lessees' paperwork; training staff to carry out laws that protect buyers and lessees; and maintaining professional licenses that ensure quality service. Not all services will be performed on every sale or by every dealer.